

CIVILIAN SECURITY, DEMOCRACY, AND HUMAN RIGHTS



THE 3Ps: PROSECUTION, PROTECTION, AND PREVENTION

The “3P” paradigm—prosecution, protection, and prevention—continues to serve as the fundamental framework used by governments around the world to combat human trafficking. The United States also follows this approach, reflected in the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (Palermo Protocol) to the *United Nations Transnational Organized Crime Convention* (UNTOC) and the United States’ Trafficking Victims Protection Act (TVPA), as amended. The U.S. Department of State’s Office to Monitor and Combat Trafficking in Persons employs diplomatic, economic, political, and legal tools to advance the “3P” paradigm worldwide. In addition, a “fourth P”—partnership—serves as a complementary means to achieve progress across the 3Ps and to ensure that all segments of society are enlisted in the fight against modern slavery.

PROSECUTION

Under frameworks set forth in both the Palermo Protocol and the TVPA, effective law enforcement action is an indispensable element for government programs to fight trafficking. The Department of State evaluates whether governments prescribe a maximum prison sentence that is sufficiently stringent to deter the crime and adequately reflects the heinous nature of the offense. Consistent with the UNTOC, criminal penalties should prescribe a maximum sentence of at least four years’ deprivation of liberty for the crime of trafficking in persons. Imposed sentences should involve significant jail time, with a majority of a government’s convictions resulting in sentences on the order of one year of imprisonment or more. Sentences should take into account the severity of an individual’s involvement in trafficking, imposed sentences for other grave crimes, and the judiciary’s right to hand down punishments consistent with that country’s laws.

The Office works with its interagency and law enforcement partners within the U.S. government, as well as NGO partners from around the world, to assist in the drafting and implementation of adequate anti-trafficking laws and the vigorous prosecution of traffickers.

PROTECTION

Protection is key to the victim-centered approach that the United States and the international community apply in their efforts to combat modern slavery. Effective victim protection is comprised of identifying victims, providing referrals for a comprehensive array of services, providing those services, and supporting victims as they rebuild their lives.

Identifying victims is a critical first step in ensuring their ability to receive the support and resources they need. Proactive identification efforts and training for first responders are of paramount importance to a government’s ability to combat human trafficking. After identification, governments should make the rights and needs of victims a priority to ensure that protection efforts restore a survivor’s dignity and provide an opportunity for a safe and productive life. The Office’s International Programs section works to build the capacity of governments and NGOs to enhance victim protection in scores of countries worldwide.

To effectively protect trafficking victims, governments need to enable identified foreign national victims of trafficking to remain in the country, work, and obtain services without fear of detention or deportation for lack of legal status or because of crimes that the trafficker made them commit. In addition, governments should ease the process for victims to secure immigration relief. Safeguards should be put in place to ensure the protection of victims as well as their family members who may be in harm’s way.

Adequate victim protection relies on effective partnerships between law enforcement and service providers, not only immediately after identification, but also throughout a victim’s participation in criminal justice and civil proceedings.

Comprehensive victim services include emergency and long-term services; intensive case management, housing, food, medical and dental care, and legal assistance; and access to educational, vocational, and economic opportunities for survivors of modern slavery. Efforts to support foreign national victims of trafficking as they rebuild their lives include voluntary repatriation and assistance in their home communities.



Benjamin Crowe/IUIC

PREVENTION

Prevention efforts are a key component of the global movement to combat human trafficking. Historically, efforts focused on public awareness campaigns to inform and educate communities in source and destination countries about human trafficking so that they could identify victims or specifically warn migrants and other vulnerable populations.

Today, prevention encapsulates cross-cutting endeavors that include amending labor laws that omit certain classes of workers from coverage; providing robust labor law enforcement, particularly in key sectors where trafficking is most typically found; implementing measures that aid in rectifying significant vulnerabilities to trafficking, such as birth registration and identification; carefully constructing labor recruitment programs to protect workers from exploitation; strengthening partnerships between law enforcement, government, and NGOs to collaborate, coordinate, and communicate more effectively; emphasizing effective policy implementation with stronger enforcement, better reporting, and government-endorsed business standards; and tackling this global crime by monitoring product supply chains and reducing demand for commercial sex.

Additionally, recent innovations in private-sector engagement on trafficking in persons hold potential to advance prevention efforts. A new push for corporate accountability calls on companies to focus additional attention on their supply chains, specifically to assess the recruitment of their workforce and that of their suppliers, including those harvesting, collecting, or mining raw materials. By adopting responsible practices, such as those reflected in *Executive Order 13627—Strengthening Protections Against Trafficking in Persons in Federal Contracts*, private sector actors can help mitigate risks and prevent human trafficking.

In addition to partnering with and funding the efforts of NGOs around the world, the Office to Monitor and Combat Trafficking in Persons works to combat human trafficking through the diagnostic analysis of the Department's annual *Trafficking in Persons Report*, which assesses efforts of countries around the world against the TVPA-mandated minimum standards for the elimination of trafficking in persons.

Prosecution, protection, and prevention efforts are closely intertwined. Effective law enforcement and protection practices are essential to ensuring stronger prevention policies, which can deter the occurrence of human trafficking.